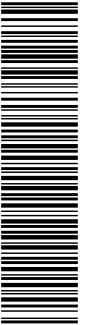


An act to amend Section 1798.24 of the Civil Code, to amend Sections 10851, 10852, 10855, 10858, 10859, 44230, 60900, 69432.9, and 94892.6 of, to add Section 60900.5 to, to add the heading of Article 1 (commencing with Section 10850) to, and to add Article 2 (commencing with Section 10860) to, Chapter 8.5 of Part 7 of Division 1 of Title 1 of, the Education Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to education data.

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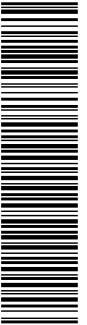


THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1798.24 of the Civil Code is amended to read:

1798.24. An agency shall not disclose any personal information in a manner that would link the information disclosed to the individual to whom it pertains unless the information is disclosed, as follows:

- (a) To the individual to whom the information pertains.
- (b) With the prior written voluntary consent of the individual to whom the information pertains, but only if that consent has been obtained not more than 30 days before the disclosure, or in the time limit agreed to by the individual in the written consent.
- (c) To the duly appointed guardian or conservator of the individual or a person representing the individual if it can be proven with reasonable certainty through the possession of agency forms, documents, or correspondence that this person is the authorized representative of the individual to whom the information pertains.
- (d) To those officers, employees, attorneys, agents, or volunteers of the agency that has custody of the information if the disclosure is relevant and necessary in the ordinary course of the performance of their official duties and is related to the purpose for which the information was acquired.
- (e) To a person, or to another agency if the transfer is necessary for the transferee agency to perform its constitutional or statutory duties, and the use is compatible with a purpose for which the information was collected and the use or transfer is in accordance with Section 1798.25. With respect to information transferred from a law enforcement or regulatory agency, or information transferred to another law enforcement or regulatory agency, a use is compatible if the use of the information requested is needed in an investigation of unlawful activity under the jurisdiction of the requesting agency or for licensing, certification, or regulatory purposes by that agency.
- (f) To a governmental entity if required by state or federal law.
- (g) Pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).
- (h) To a person who has provided the agency with advance, adequate written assurance that the information will be used solely for statistical research or reporting purposes, but only if the information to be disclosed is in a form that will not identify any individual.
- (i) Pursuant to a determination by the agency that maintains information that compelling circumstances exist that affect the health or safety of an individual, if upon the disclosure notification is transmitted to the individual to whom the information pertains at ~~his or her~~ the individual's last known address. Disclosure shall not be made if it is in conflict with other state or federal laws.
- (j) To the State Archives as a record that has sufficient historical or other value to warrant its continued preservation by the California state government, or for evaluation by the Director of General Services or ~~his or her~~ the director's designee to determine whether the record has further administrative, legal, or fiscal value.
- (k) To any person pursuant to a subpoena, court order, or other compulsory legal process if, before the disclosure, the agency reasonably attempts to notify the individual to whom the record pertains, and if the notification is not prohibited by law.
- (l) To any person pursuant to a search warrant.



(m) Pursuant to Article 3 (commencing with Section 1800) of Chapter 1 of Division 2 of the Vehicle Code.

(n) For the sole purpose of verifying and paying government health care service claims made pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code.

(o) To a law enforcement or regulatory agency when required for an investigation of unlawful activity or for licensing, certification, or regulatory purposes, unless the disclosure is otherwise prohibited by law.

(p) To another person or governmental organization to the extent necessary to obtain information from the person or governmental organization for an investigation by the agency of a failure to comply with a specific state law that the agency is responsible for enforcing.

(q) To an adopted person and disclosure is limited to general background information pertaining to the adopted person's biological parents, if the information does not include or reveal the identity of the biological parents.

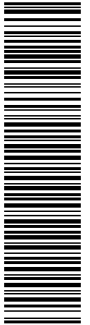
(r) To a child or a grandchild of an adopted person and disclosure is limited to medically necessary information pertaining to the adopted person's biological parents. However, the information, or the process for obtaining the information, shall not include or reveal the identity of the biological parents. The State Department of Social Services shall adopt regulations governing the release of information pursuant to this subdivision. The regulations shall require licensed adoption agencies to provide the same services provided by the department as established by this subdivision.

(s) To a committee of the Legislature or to a Member of the Legislature, ~~or his or her~~ the member's staff if authorized in writing by the member, if the member has permission to obtain the information from the individual to whom it pertains or if the member provides reasonable assurance that ~~he or she~~ the member is acting on behalf of the individual.

(t) (1) To the University of California, a nonprofit educational institution, the Cradle-to-Career Data System, for purposes consistent with the creation and execution of the Cradle-to-Career Data System Act pursuant to Article 2 (commencing with Section 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1 of the Education Code, or, in the case of education-related data, another nonprofit entity, conducting scientific research, if the request for information is approved by the Committee for the Protection of Human Subjects (CPHS) for the California Health and Human Services Agency (CHHSA) or an institutional review board, as authorized in paragraphs ~~(4) and (5).~~ (5) and (6). The approval shall include a review and determination that all the following criteria have been satisfied:

(A) The researcher has provided a plan sufficient to protect personal information from improper use and disclosures, including sufficient administrative, physical, and technical safeguards to protect personal information from reasonable anticipated threats to the security or confidentiality of the information.

(B) The researcher has provided a sufficient plan to destroy or return all personal information as soon as it is no longer needed for the research project, unless the researcher has demonstrated an ongoing need for the personal information for the research project and has provided a long-term plan sufficient to protect the confidentiality of that information.



(C) The researcher has provided sufficient written assurances that the personal information will not be reused or disclosed to any other person or entity, or used in any manner, not approved in the research protocol, except as required by law or for authorized oversight of the research project.

(2) The CPHS shall enter into a written agreement with the Office of Cradle-to-Career Data, as defined in Section 10862 of the Education Code, to assist the managing entity of that office in its role as the institutional review board for the Cradle-to-Career Data System.

~~(2)~~

(3) The CPHS or institutional review board shall, at a minimum, accomplish all of the following as part of its review and approval of the research project for the purpose of protecting personal information held in agency databases:

(A) Determine whether the requested personal information is needed to conduct the research.

(B) Permit access to personal information only if it is needed for the research project.

(C) Permit access only to the minimum necessary personal information needed for the research project.

(D) Require the assignment of unique subject codes that are not derived from personal information in lieu of social security numbers if the research can still be conducted without social security numbers.

(E) If feasible, and if cost, time, and technical expertise permit, require the agency to conduct a portion of the data processing for the researcher to minimize the release of personal information.

~~(3)~~

(4) Reasonable costs to the agency associated with the agency's process of protecting personal information under the conditions of CPHS approval may be billed to the researcher, including, but not limited to, the agency's costs for conducting a portion of the data processing for the researcher, removing personal information, encrypting or otherwise securing personal information, or assigning subject codes.

~~(4)~~

(5) The CPHS may enter into written agreements to enable other institutional review boards to provide the data security approvals required by this subdivision, if the data security requirements set forth in this subdivision are satisfied.

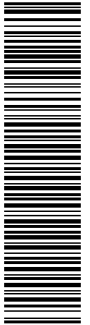
~~(5)~~

(6) Pursuant to paragraph ~~(4)~~, (5), the CPHS shall enter into a written agreement with the institutional review board established pursuant to former Section 49079.6 of the Education Code. The agreement shall authorize, commencing July 1, 2010, or the date upon which the written agreement is executed, whichever is later, that board to provide the data security approvals required by this subdivision, if the data security requirements set forth in this subdivision and the act specified in subdivision (a) of Section 49079.5 of the Education Code are satisfied.

(u) To an insurer if authorized by Chapter 5 (commencing with Section 10900) of Division 4 of the Vehicle Code.

(v) Pursuant to Section 450, 452, 8009, or 18396 of the Financial Code.

(w) For the sole purpose of participation in interstate data sharing of prescription drug monitoring program information pursuant to the California Uniform Controlled



Substances Act (Division 10 (commencing with Section 11000) of the Health and Safety Code), if disclosure is limited to prescription drug monitoring program information.

This article does not require the disclosure of personal information to the individual to whom the information pertains if that information may otherwise be withheld as set forth in Section 1798.40.

SEC. 2. The heading of Article 1 (commencing with Section 10850) is added to Chapter 8.5 of Part 7 of Division 1 of Title 1 of the Education Code, to read:

Article 1. Cradle-to-Career Data System Workgroup

SEC. 3. Section 10851 of the Education Code is amended to read:

10851. For purposes of this ~~chapter~~, article, the following definitions apply:

(a) "Data system" means statewide data infrastructure that integrates data from various partner entities and supports the purposes identified in this ~~chapter~~, article.

(b) "Director" means the Director of State Planning and Research, or the director's designee.

(c) "Partner entity" means an organization that can provide information to the data system to advance the purposes identified in this ~~chapter~~, article and includes, but is not limited to, state entities responsible for elementary and secondary education data, entities responsible for early learning data and care, segments of public higher education, private colleges and universities, state entities responsible for overseeing private colleges, student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs.

(d) "Planning facilitator" means an entity with expertise in data governance, privacy, security, quality, reporting, and user-centered design.

(e) "Workgroup" means the California Cradle-to-Career Data System Workgroup established pursuant to Section 10853.

SEC. 4. Section 10852 of the Education Code is amended to read:

10852. It is the intent of the Legislature in enacting this ~~chapter~~, article to do all of the following:

(a) Build a data system to enable partner entities to share information in a manner that promotes data privacy and security.

(b) Design a data system that minimizes the need for new infrastructure, is adaptable, and is flexible to meet future needs.

(c) Serve students and families by doing all of the following:

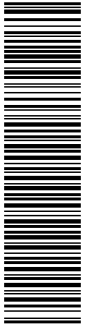
(1) Identifying and tracking predictive indicators to enable parents, teachers, health and human services providers, and policymakers to provide appropriate interventions and supports to address disparities in opportunities and improve outcomes for all students.

(2) Creating direct support tools for teachers, parents, advisors, and students.

(3) Enabling agencies to plan for and optimize educational, workforce, and health and human services programs.

(4) Enabling and streamlining the administration of student financial aid.

~~(4)~~



(5) Advancing academic and governmental research on improving policies from birth through career.

(d) Improve the quality and reliability of data reported, and ensure consistency of key data definitions.

(e) Identify additional data points and metrics that can be developed and integrated into the data system to support the goals of this ~~chapter~~, article.

SEC. 5. Section 10855 of the Education Code is amended to read:

10855. (a) The director shall lead the workgroup.

(b) The Office of Planning and Research shall contract with planning facilitators to perform all of the following duties:

(1) Provide facilitation and staff support to the workgroup.

(2) Conduct research and gather relevant information for consideration by the workgroup in fulfilling its responsibilities pursuant to paragraph (1) of subdivision (a) of Section 10853.

(3) Produce the reports required pursuant to Sections 10856 and 10857.

(4) Support the partner entities in advancing the purposes of this ~~chapter~~, article, including, but not limited to, by assisting the partner entities to complete the activities specified in Section 10858.

(c) For purposes of subdivision (b), the Office of Planning and Research may enter into exclusive or nonexclusive contracts with planning facilitators on a bid or negotiated basis. A contract entered into or amended pursuant to subdivision (b) shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(d) Notwithstanding any other law, a planning facilitator may subcontract as necessary in the performance of its duties, subject to approval of the director.

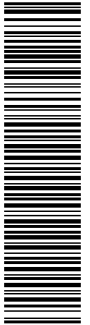
(e) The Office of Planning and Research shall report to the Department of Finance and relevant subcommittees of the Legislature on awarded contracts described in this section within 30 days of awarding any contract. The report shall include information about funding amounts provided to contractors and subcontractors.

(f) (1) A planning facilitator that contracts with the Office of Planning and Research pursuant to subdivision (b) shall, in consultation with the director, convene one or more advisory groups to obtain additional input from potential end users of the data system and other interested stakeholders and to inform the planning facilitator's work in fulfilling its responsibilities pursuant to subdivision (b).

(2) At a minimum, the advisory groups convened pursuant to paragraph (1) shall be comprised of representatives of students, parents, labor, business and industry, equity and social justice organizations, researchers, privacy experts, early education experts, school districts, charter schools, and county offices of education, as selected by the director within 60 days of contracting with the planning facilitator.

(3) In selecting the membership of the advisory groups, the director is encouraged to seek representation broadly reflective of the state's population.

(4) The planning facilitator shall initially meet with the advisory groups within 30 days of the director selecting its membership, and then at least once every quarter,



and, if approved by the director, within 15 days upon request of a majority of the advisory group.

SEC. 6. Section 10858 of the Education Code is amended to read:

10858. ~~(a)~~ The partner entities shall, and the University of California is requested to, enter into memoranda of understanding or participation agreements for data sharing purposes, as necessary, for the implementation of this ~~chapter~~, article.

~~(b) (1) By the 2020–21 academic year, the Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges shall, and the University of California is requested to, identify and track currently and newly enrolled students in their respective data systems with the statewide student identifier assigned to pupils in the data system maintained by the department for each student who attended a local educational agency in California in a manner that maximizes efficiencies and limits the need for multiple memoranda of understanding.~~

~~(2) To the extent feasible, the Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges shall, and the University of California is requested to, prospectively identify and track each applicant for admission in their respective data systems with the statewide student identifier assigned to pupils in the data system maintained by the department for each applicant for admission who attended a local educational agency in California in a manner that maximizes efficiencies and limits the need for multiple memoranda of understanding.~~

~~(c) For purposes of subdivision (b), the department shall collaborate with the Office of the Chancellor of the California Community Colleges, the Office of the Chancellor of the California State University, and the University of California to ensure the appropriate assignment and match of a statewide student identifier from the data system maintained by the department.~~

SEC. 7. Section 10859 of the Education Code is amended to read:

10859. The sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund in the 2019–20 fiscal year to the Office of Planning and Research on a one-time basis, available for encumbrance and expenditure through the 2021–22 fiscal year, subject to all of the following:

(a) Two million dollars (\$2,000,000) for the Office of Planning and Research to contract with planning facilitators pursuant to Section 10855.

(b) Two million dollars (\$2,000,000) to be allocated as follows:

(1) Five hundred thousand dollars (\$500,000) to be retained by the Office of Planning and Research to lead the workgroup established pursuant to Section 10853 and perform other administrative functions to implement this ~~chapter~~, article.

(2) (A) One million three hundred thousand dollars (\$1,300,000) for the Office of Planning and Research to allocate one hundred thousand dollars (\$100,000) to each of the state entities identified in paragraphs (1) to (3), inclusive, of subdivision (a) of Section 10854 for workgroup and planning activities.

(B) Upon order of the Director of Finance, the funds in subparagraph (A) shall be provided to the state entities identified in paragraphs (1) through (3), inclusive, of subdivision (a) of Section 10854.

(3) Two hundred thousand dollars (\$200,000) for the Office of Planning and Research to provide one hundred thousand dollars (\$100,000) to each of the entities



identified in paragraphs (4) and (5) of subdivision (a) of Section 10854 for workgroup and planning activities.

~~(e) (1) Three hundred thousand dollars (\$300,000) for the Office of Planning and Research, to be transferred as follows:~~

~~(A) Upon order of the Director of Finance, one hundred thousand dollars (\$100,000) to the California Community Colleges, contingent upon submission of an expenditure plan to the Department of Finance and notification to the Joint Legislative Budget Committee.~~

~~(B) Upon order of the Director of Finance, one hundred thousand dollars (\$100,000) to the California State University, contingent upon submission of an expenditure plan to the Department of Finance and notification to the Joint Legislative Budget Committee.~~

~~(C) Upon order of the Director of Finance, one hundred thousand dollars (\$100,000) to the University of California, contingent upon submission of an expenditure plan to the Department of Finance and notification to the Joint Legislative Budget Committee.~~

~~(2) The funds provided in paragraph (1) shall be available to implement statewide student identifiers pursuant to Section 10858.~~

~~(d)~~

~~(c) The remaining funds shall only be released to the Office of Planning and Research with the approval of an expenditure plan by the Department of Finance and notification to the Joint Legislative Budget Committee based upon reporting from the planning facilitators pursuant to Sections 10856 and 10857.~~

SEC. 8. Article 2 (commencing with Section 10860) is added to Chapter 8.5 of Part 7 of Division 1 of Title 1 of the Education Code, to read:

Article 2. California Cradle-to-Career Data System

10860. (a) There is hereby established in state government the California Cradle-to-Career Data System for the purpose of connecting individuals and organizations to trusted information and resources. The data system shall be considered a source for actionable data and research on education, economic, and health outcomes for individuals, families, and communities, and provide for expanded access to tools and services that support the navigation of the education-to-employment pipeline.

(b) (1) The data system shall be used to provide access to data and information necessary to provide insights into critical milestones in the education-to-employment pipeline, including insight regarding early learning and care to grade 12, inclusive, and into higher education, skills training opportunities, and employment to better enable individuals to maximize their educational and career opportunities, and to foster evidence-based decisionmaking to help the state build a more equitable future.

(2) The information contained in the data system shall be used to accomplish all of the following:

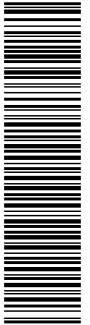
(A) Address disparities in opportunities and outcomes.

(B) Support student guidance.

(C) Foster continuous improvement.

(D) Address the needs of researchers.

(c) The data system shall do all of the following:



(1) Enable the linkage, management, and monitoring of information on student progress through education, workforce training, employment, health, and social services.

(2) Ensure that information contained, and available through, the data system is kept secure and that individual privacy is protected.

(3) Provide for access to actionable data on education, economic, and health outcomes for use by individuals, students, families, and communities to, among other things, illustrate inequities in opportunities and outcomes.

(4) Provide support for professional development opportunities to further policy making and to improve the functionality of the system by end users, including state agencies, schools, colleges and universities, social service providers, and students and families.

(5) Provide support for opportunities to enhance the state's system of public education, educational programs, and educational services.

(6) Advance academic, nonprofit, and governmental research to enhance the development of policies focused on birth through career.

(7) Support the creation of user-facing tools and services, and access to information necessary to do all of the following:

(A) Provide tailored supports to students, educators, parents, and advisors, and better enable students to navigate the education-to-employment pipeline.

(B) Enable the streamlining and administration of college application processes and student financial aid programs.

(C) Allow researchers and policymakers to explore policy problems and solutions.

(d) At all times, the data system shall act in furtherance of the public good and shall be held accountable thereto.

10861. For purposes of this article, the following definitions apply:

(a) "Advisory boards" means the advisory boards established pursuant to Section 10865.

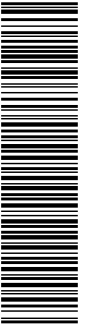
(b) "A–G coursework" means the 15-unit pattern of courses across seven subject areas that pupils must complete during high school to meet minimum eligibility requirements for admission to the California State University or the University of California.

(c) "Analytical tools" means the resources that provide for access to information for research and evaluation purposes such as dashboards, a query builder, summaries of key student and employment outcomes, and a research library, including, but not limited to, the P20W data set.

(d) "California College Guidance Initiative" (CCGI) means the public-nonprofit partnership of Student Friendly Services, established pursuant to Item 6100-172-0001 of the annual Budget Act, authorized by Section 60900.5, and administered by the Foundation for California Community Colleges established pursuant to Section 72670.5, or a successor agent.

(e) "Data providers" means entities that submit the individual, educational, academic, training, employment, social service, health, and other information used to create the data system.

(f) "Data requests in the public interest" means those requests that enable parents, educators, health and human services providers, researchers, and policymakers to provide appropriate interventions and supports to address disparities in opportunities and improve outcomes for all students.



(g) “Data system” means the Cradle-to-Career Data System established pursuant to this chapter.

(h) “eTranscript California” means an electronic transcript service administered by the California Community Colleges, or a successor agent.

(i) “Governing board” means the governing board established pursuant to Section 10864 that is subject to Sections 10865 and 10866.

(j) “Managing entity” means the office created in Section 10862 that is responsible for Section 10867.

(k) “Operational tools” means the publicly supported educator-, student-, and parent-facing tools that use student-specific data to support college planning and education transitions, including, but not limited to, the CCGI and eTranscript California. All tools under this definition shall comply with the student privacy provisions of Section 49073.1. Pursuant to subdivision (d) of Section 10870, a local educational agency shall not be required to enter into a contract with a provider of publicly supported “operational tools” as defined in this subdivision.

(l) “Participation agreement” means the legal framework used by the state to establish the conditions under which data may be shared and used, and may include the use of a master data exchange agreement or other agreements between partner entities, data providers, and the managing entity.

(m) “P20W data set” means the data set adopted by the governing board and requested from the data providers, including, but not limited to, the approximately 160 data points described in the report to the Department of Finance and the Legislature required by subdivision (a) of Section 10856 and as adjusted by the governing board. The governing board may add or remove requested data points based on changes in the usage of the element. As required by the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code) and the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g), data providers shall retain sole control over their source data and may reject, add, or remove data elements contributed to the P20W data set, as reflected in its participation agreement with the managing entity.

10862. (a) The Office of Cradle-to-Career Data is hereby created within the Government Operations Agency.

(b) The office shall also be known as the “managing entity,” and shall serve as a neutral administrative body, consistent with the purpose and intent of this chapter, to do all of the following:

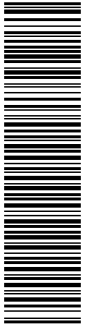
(1) Initiate the data system during the startup process.

(2) Ensure wide, appropriate, and legal use of the data system as a one-stop shop for cradle-to-career data to support policy researchers. In order to ensure individual privacy, and in accordance with federal law, control of the data available through the data system shall be retained by the data providers who contributed the data through their participation agreement, and disclosed to and by the managing entity only to the extent permitted by federal law.

(3) Scale operational tools to better serve educators, students, and families.

(4) Implement communications, professional development, and technical assistance that supports data system use.

(c) (1) The managing entity shall operate until July 1, 2026, or a later date, as approved by the governing board, contingent on a review of the appropriateness and



efficacy of the Government Operations Agency continuing to house the managing entity after July 1, 2026.

(2) A recommendation to move the managing entity under the administration of another state department or agency shall be submitted by the governing board to the Legislature and the Governor through the governing board's annual budget submission.

10863. In fulfilling their roles, all governing board members, advisory board members, and managing entity employees shall do all of the following:

(a) Prioritize the needs of students and families.

(b) Comply with federal and state laws to protect individual privacy, including, but not limited to, the state Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and all of the following federal statutes:

(1) The Family Educational Rights and Privacy Act of 1974 (Public Law 93-380, as amended).

(2) The Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191, as amended).

(3) The Higher Education Act of 1965 (Public Law 89-329, as amended).

(c) Consider and respond to stakeholder input.

(d) Promote and foster an environment and culture of collaboration and cooperation.

(e) Promote a culture of data-informed decisionmaking by consulting with data experts and intended data users, including members of the public, when developing data use priorities.

10864. (a) The data system shall be governed by a governing board composed of the following 18 members:

(1) The Superintendent of Public Instruction or the Superintendent's designee.

(2) The Chancellor of the California Community Colleges or the chancellor's designee.

(3) The Chancellor of the California State University or the chancellor's designee.

(4) The President of the University of California or the president's designee.

(5) The President of the Association of Independent California Colleges and Universities or the president's designee.

(6) The Chief of the Bureau for Private Postsecondary Education or the chief's designee.

(7) The Executive Director of the Student Aid Commission or the executive director's designee.

(8) The Executive Director of the Commission on Teacher Credentialing or the executive director's designee.

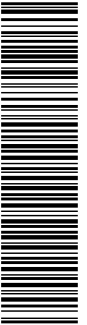
(9) The Director of the California Department of Social Services or the director's designee.

(10) The Secretary of California Health and Human Services or the secretary's designee.

(11) The Secretary of Labor and Workforce Development or the secretary's designee.

(12) The Director of Employment Development or the director's designee.

(13) Four public members, to be appointed by the Governor, as follows:



(A) Two elementary and secondary education practitioners to serve as a representative of elementary and secondary educators, counselors, and administrators.

(B) Two members of the public who meet the requirements of paragraph (1) of subdivision (d).

(14) Two members of the public, to be appointed by the Legislature, as follows:

(A) One member of the public to be appointed by the Speaker of the Assembly.

(B) One member of the public to be appointed by the President Pro Tempore of the Senate.

(b) A designee serving at the pleasure of a governing board described in paragraphs (1) to (12), inclusive, of subdivision (a) shall be qualified and authorized to make decisions on behalf of the appointed member.

(c) All of the following shall apply to the public member appointments made pursuant to paragraphs (13) and (14) of subdivision (a):

(1) The public members shall represent the public beneficiaries of the data system, including, but not limited to, practitioners, families, students, adult learners and workers, community organizations, research organizations, or advocates.

(2) A public member shall serve a term of no more than three years.

(3) The public members shall have staggered terms.

(4) For the first appointment of public members to the governing board only, to create staggered terms, the terms of those members shall be as follows:

(A) The terms of the public members appointed pursuant to subparagraph (A) of paragraph (13) of subdivision (a) shall be for three years.

(B) The terms of the public members appointed pursuant to subparagraph (B) of paragraph (13) of subdivision (a) shall be for one year.

(C) The terms of the public members appointed pursuant to paragraph (14) of subdivision (a) shall be for two years.

(d) Notwithstanding subdivisions (b) and (c), the governing board may expand membership on the governing board to include new data contributors and ex officio governing board members.

(e) Notwithstanding the governing board representatives designated in paragraphs (5), (13), and (14) of subdivision (a), all other institutions represented on the governing board shall be data providers.

(f) The governing board shall be subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

10865. (a) Governing board members shall develop and revise, from time to time, a self-governance process to ensure that the governing board, among other actions, does all of the following:

(1) Convenes on a regular basis, but no less than quarterly.

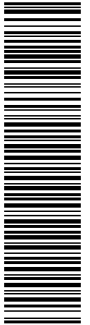
(2) Selects a chairperson.

(3) Develops conflict of interest policies in accordance with applicable statutes.

(4) Allows governing board members to receive per diem and reimbursement of travel expenses.

(5) Adopts a vote threshold for decision-making that requires two-thirds of the voting membership to concur in the decision.

(6) Ensures multiagency cooperation.



(7) Develops policies and practices to expand the governing board to include new data providers and ex officio members.

(b) (1) There are hereby established two advisory boards to provide input and feedback to the governing board on topics as follows:

(A) The Data and Tools Advisory Board, with responsibility for examining whether the data system is providing actionable information and identifying ways to improve access to that information.

(B) The Community Engagement Advisory Board, with responsibility for examining whether the managing entity is creating strong feedback loops with data users, supporting evidence-based decision-making and analytical capacity, and ensuring equitable access to actionable information.

(2) Members of each of the advisory boards shall be appointed by the governing board, and shall serve three-year terms, with the initial appointment term staggered such that one-third of the positions expire each year.

(c) The governing board may establish and disband additional ad hoc committees, as it sees fit and as is appropriate to further the intent of this chapter.

(d) All advisory boards established by this section shall be subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

10866. (a) The governing board shall appoint an executive officer to oversee the managing entity. The executive officer shall be exempt from civil service consistent with subdivision (e) of Section 4 of Article VII of the California Constitution, including setting the terms of employment, and annual compensation shall be commensurate with other like positions in state government. The executive officer shall employ such other employees as they deem necessary for the effective conduct of the work of the managing entity.

(b) The governing board shall be responsible for the strategic direction and implementation of the data system, including, but not limited to, all of the following:

(1) Adopting a timeline for phasing in the data system, including a timeline for the development of analytical tools, operational tools, and offering professional development and technical assistance.

(2) Ensuring that the data system is serving its intended purposes by submitting recommendations to the Governor and the Legislature to adjust the data system's vision, mission, and strategic objectives, particularly recommendations related to improving educational outcomes and reducing opportunity gaps.

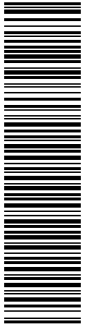
(3) Adopting and adjusting as necessary a data dictionary, data standards, and security protocols to ensure interoperability between the data system, the source data, and other state data systems using the same source data.

(4) Expanding the collected data set, beyond the P20W data set, by doing both of the following:

(A) Approving additional data providers.

(B) Requesting additional data points from data providers, in the context of data quality, legal concerns, costs, and preserving the neutrality of the data system. The governing board shall not require a data provider to collect data that the data provider is not legally allowed, under other applicable laws, to collect.

(5) Creating new analytical and operational tools that would help the public interact with the data.



(6) Creating, and revising from time to time, a data request process for use by researchers, policymakers, education systems, schoolsites, and college campuses for information that is all of the following:

(A) In compliance with federal and state laws to protect individual privacy.

(B) Not otherwise available via the public query tools maintained by the managing entity.

(C) Allows for expedited access to summary data that has been properly deidentified.

(D) Allows for data providers to approve data requests in the public interest, as defined pursuant to Section 10861.

(c) (1) The governing board shall be responsible for adopting best practice policies related to privacy and security, including creating policies, in accordance with federal and state law, governing the collection and use of personally identifiable information from data providers, which may include the creation of an “opt out” policy for students and families.

(2) This section does not hinder the use of personally identifiable information for educator- and student-facing college guidance and planning tools, defined as operational tools in Section 10851.

(d) The governing board shall provide oversight of the data system and operational direction to the managing entity to ensure the data system is serving its intended purpose. This may include, but is not limited to, all of the following activities:

(1) Adopting an annual strategic plan and reviewing and revising that plan as needed.

(2) Approving budget requests for inclusion in the governing board’s annual budget request.

(3) Ensuring continued use of a user-centered design approach by the managing entity.

(4) Reviewing and approving all of the following:

(A) End user professional development, and technical assistance and communications plans, as developed by the managing entity.

(B) An operational tools implementation plan, as developed by the managing entity.

(C) Recommendations for topics to be included in reports to provide a neutral summary of information available in the data system.

(D) Significant content changes to the analytical tools, such as dashboard visualizations and query builder data points.

(5) Conducting data quality audits.

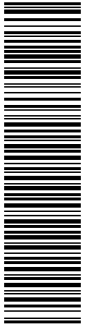
(6) Providing for other audits and evaluations.

(7) Adopting rules and exercising authority to promulgate regulations, including emergency regulations.

(8) Any other activities necessary to further the intent of this chapter.

(9) Providing regular reports to the Legislature and Governor related to the implementation of this chapter. The reports to the Legislature shall be submitted in compliance with Section 9795 of the Government Code.

(e) The governing board may create any other policies and procedures necessary to further the intent of this chapter.



10867. (a) The managing entity shall implement and manage the data system based on the direction set by the governing board.

(b) The managing entity shall be responsible for all of the following:

(1) Supporting the governing board, advisory boards, and data providers, including, but not limited to, all of the following:

(A) Staffing the governing board, advisory boards, and associated meetings and processes.

(B) Supporting the development and updating of the governance manual.

(C) Onboarding new data providers, in partnership with the governing board chairperson.

(D) Supporting the development of regulations and policies required to implement this chapter.

(E) Providing analysis and recommendations, as necessary and appropriate, regarding all of the following:

(i) Data points.

(ii) Analytical and operational tools.

(iii) Professional development, technical assistance, and communication plans.

(F) Escalating issues regarding compliance, technical infrastructure, and data system implementation to the governing board, as appropriate and necessary for the furtherance of this chapter.

(2) Managing administrative functions of the data system, including, but not limited to, all of the following:

(A) Developing annual work plans, budget requests, and operational budgets.

(B) Overseeing personnel and compensation, except for the appointment and compensation of the executive officer pursuant to Section 10866.

(C) Ensuring regular reporting and external evaluations of the efficacy of the data system in fulfilling its purpose.

(D) Entering into contracts and agreements, as needed to further this chapter.

(3) Managing the technical infrastructure for analytical tools, including, but not limited to, doing all of the following:

(A) Creating, procuring, managing, securing, and maintaining the infrastructure necessary to compile, match, store, access, and visualize information from data providers.

(B) Creating data sets tailored to processes approved by the governing board.

(C) Ensuring both of the following:

(i) The availability, reliability, and performance of the technical infrastructure.

(ii) Data privacy and security in accordance with state and federal law.

(4) Implementing public educator- and researcher-facing tools and supporting their use by, including, but not limited to, doing all of the following:

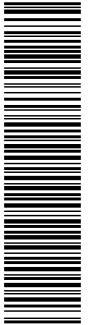
(A) Leading user-centered design and testing processes.

(B) Providing information to the public using, among other tools, dashboards, query builders, and research libraries.

(C) Providing information and resources that do both of the following:

(i) Fosters evidence-based decisionmaking, strengthens analytical capacity to use available data tools, and enables users to understand structural factors that influence outcomes.

(ii) Takes into account the needs of various users.



(D) Engaging users by providing an ongoing channel for public input about the data system.

(E) Providing neutral written summaries of information available through the data system related to the public good and fostering equitable opportunities and outcomes.

(F) Monitoring and taking into account best practices related to longitudinal data systems, including participating in intrastate, interstate, and national data collection and policy efforts.

(5) Scaling, expanding, operating, and maintaining operational tools, including, but not limited to, by doing all of the following:

(A) Conducting an annual student experience audit related to navigating the transition from secondary education to higher education.

(B) Addressing the requirements of paragraph (2) of subdivision (c) of Section 69432.9 relating to submitting pupil grade point averages for the purpose of evaluating eligibility for state and federal student financial aid.

(C) Entering into a memorandum of understanding with the CCGI to deliver college planning and transition tools, including integrating college admissions and student financial aid applications and other integrations that streamline processes for students.

(D) Entering into a memorandum of understanding with eTranscript California to deliver electronic transcripts and verification of eligibility for social services.

(E) Within five years of the operative date of the act that adds this section, assessing the feasibility of subsuming the operation of operational tools that are currently administered by other agencies, and reporting findings to the governing board, the Legislature, and the Governor. The report to the Legislature shall be submitted in compliance with Section 9795 of the Government Code.

(6) Providing training and technical assistance, including, but not limited to, all of the following:

(A) Developing and curating all necessary technical documentation and resources to facilitate data submission.

(B) Ensuring that all data-enabled tools are used by the intended audiences.

(C) Promoting and training related to data literacy for use of the analytical tools.

(7) Supporting data requests, among other activities, including, but not limited to, all of the following:

(A) Determining if the content and the purpose of the request is sufficiently clear.

(B) Aligning the request with available data and tools and advising the requestor of other similar analyses that have been conducted using the data system.

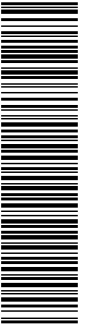
(C) Advising the requestor on how best to access the information.

(D) Determining and advising the requestor as to whether there are any legal impediments to the request, and supporting the requestor to identify legally appropriate options.

(E) Coordinating the execution of legal agreements with data providers.

(F) Contracting with the Committee for the Protection of Human Subjects for the California Health and Human Services Agency to serve as the institutional review board regarding the use of personally identifiable information.

(G) Facilitating the timely resolution of concerns and the provision of data.



(H) Ensuring that the data request process is accessible and transparent. This includes making the criteria for requests, the status for requests, and written responses to any requests that have been denied, publicly available and posted in a prominent location on the data system's internet website.

(8) Improving data quality by, among other activities, including, but not limited to, doing all of the following:

(A) Coordinating issues related to data points and definitions to ensure the quality and reliability of source data provided by the data providers.

(B) Consulting with the Chief Data Officer and data providers to identify standards that would improve the ability to share data across systems.

(C) Regularly reviewing the efficacy and usability of tools, reports, and the user interface.

(D) Working with the advisory boards established pursuant to subdivision (b) of Section 10865 to identify data points with data quality questions.

(9) Ensuring routine and ongoing compliance with all applicable federal, state, and data provider specific laws and regulations.

(10) Seeking opportunities to increase government efficiency that may include identifying duplications of effort across state agencies and public education systems, and identifying opportunities for clearer or more consistent messaging to students and families related to education pathways and transitions.

10868. In furtherance of Section 10867, the managing entity may exercise all powers reasonably necessary to carry out and comply with the duties, requirements, and responsibilities of this chapter, including, but not limited to, both of the following:

(a) Notwithstanding any other law, extending, expanding, or otherwise applying an alternative to existing state procurements for goods and services to further the intent of this chapter.

(b) Contracting with national data service providers on behalf of data providers and the entities managing operational tools in order to provide for economies of scale and streamline processes for students.

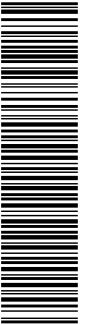
10869. Notwithstanding Section 11010 of the Government Code, and the State Administrative Manual, the governing board and the managing entity may implement a data request fee policy to compensate for excessive use of the data system, to recover costs that would otherwise typically be borne by the requesting data researcher, or both. A data request fee policy implemented pursuant to this section shall be reviewed and approved by the governing board, revised periodically, and made publicly available and posted in a prominent location on the data system's internet website.

10870. (a) This section is intended to reduce redundancy, improve efficiency and transparency, and provide students, parents, and counselors with an easy to use, and simple to understand, one-stop automated process to provide all of the following:

(1) Clear, concise, and consistent messaging and tools to increase and monitor student readiness for college admission and attendance.

(2) A single point of entry to submit California college and university applications and applications for student financial aid, including the Free Application for Student Financial Aid and the California Dream Act Application.

(3) Other technological efficiencies that shift the burden away from students and families and to the institutions serving them.



(b) Operational tools, as defined by Section 10861, shall be provided by the data system for use by both of the following:

(1) Public schools offering any of grades 6 to 12, inclusive, to facilitate college readiness and transition.

(2) Institutions of higher education in the state, to facilitate streamlined application, admissions, assessments, and placements.

(c) The requirements of subdivision (a) shall be phased in within five years of the enactment of Article 1 (commencing with Section 10850), based on a timeline to be developed by the governing board pursuant to subdivision (d) of Section 10866.

(d) Notwithstanding Section 49073.1, a local educational agency shall not be required to issue a formal contract with a provider of operational tools, as defined in Section 10861.

10871. (a) (1) Data providers, as defined in Section 10861, shall contribute to the data system, at least annually, the data points contained in the P20W data set that each data provider agrees to contribute under the terms of its participation agreement with the managing entity.

(2) Source data shall be consistent with data definitions and standards adopted by the governing board. Data providers shall make every effort to ensure source data is of the highest quality before submitting the data to the managing entity for inclusion in the data system.

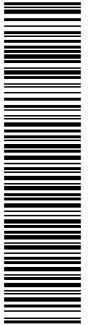
(b) The managing entity shall work with data providers to ensure data quality, in furtherance of paragraph (8) of subdivision (b) of Section 10867.

10872. Notwithstanding any other law, records or source data contained in the data system shall not be subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

10873. (a) (1) The managing entity shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all employees, prospective employees, contractors, subcontractors, volunteers, and vendors whose duties include or would include access to nonanonymized confidential information, personally identifiable information, personal health information, or financial information contained in the information systems and devices of the managing entity provided by the data providers for the purposes of creating longitudinal datasets in service of the data system. This information shall be submitted for purposes of obtaining information as to the existence and content of a record of state or federal convictions and also information as to the existence and content of a record of state or federal arrests for which the Department of Justice establishes that the person is free on bail or on their recognizance pending trial or appeal.

(2) The managing entity shall require a services contract, interagency agreement, or public entity agreement that includes or would include access to information described in paragraph (1), and entered into, renewed, or amended on or after July 1, 2021, to include a provision requiring the contractor to agree to criminal background checks on its employees, contractors, agents, or subcontractors who will have access to information described in paragraph (1) as part of their services contract, interagency agreement, or public entity agreement with the managing entity.

(b) The Department of Justice shall forward to the Federal Bureau of Investigation requests for federal summary criminal history information received pursuant to



paragraph (1) of subdivision (a). The Department of Justice shall review the information returned from the Federal Bureau of Investigation and compile and disseminate a response to the managing entity.

(c) The Department of Justice shall provide a state or federal level response to the managing entity pursuant to subdivision (p) of Section 11105 of the Penal Code.

(d) The managing entity shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for persons listed in paragraph (1) of subdivision (a).

(e) The Department of Justice shall charge a fee sufficient to cover the cost of processing requests pursuant to this section.

SEC. 9. Section 44230 of the Education Code is amended to read:

44230. (a) (1) The commission shall maintain for public record, and may disclose, only the following information relating to the credentials, certificates, permits, or other documents that it issues: the document number, title, term of validity, subjects, authorizations, effective dates, renewal requirements, and restrictions. The commission may also disclose the last known business address of any applicant or credentialholder.

(2) Notwithstanding any other ~~provision of law~~, except as provided for in Sections ~~44230.6~~ 10871, 44230.6, and 44248, no information, other than that set forth in paragraph (1), may be disclosed by the commission absent an order from a court of competent jurisdiction.

(b) In order to expedite the application process for the benefit of applicants for credentials, certificates, permits, or other documents issued by the commission, the commission may receive from, or transmit to, the agency that submitted the application, either electronically or by printed copy, the information set forth in that application. For purposes of this subdivision, "agency" means a school district, county office of education, or institution of higher education having a commission-approved program of professional preparation.

SEC. 10. Section 60900 of the Education Code is amended to read:

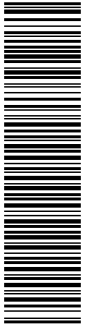
60900. (a) The department shall contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data on the tests administered pursuant to Chapter 5 (commencing with Section 60600), Chapter 7 (commencing with Section 60810), and Chapter 9 (commencing with Section 60850). The longitudinal data shall be known as the California Longitudinal Pupil Achievement Data System.

(b) The proposals developed pursuant to subdivision (a) shall evaluate and determine whether it would be most effective, from both a fiscal and a technological perspective, for the state to own the system. The proposals shall additionally evaluate and determine the most effective means of housing the system.

(c) The California Longitudinal Pupil Achievement Data System shall be developed and implemented in accordance with all state rules and regulations governing information technology projects.

(d) The system or systems developed pursuant to this section shall be used to accomplish all of the following goals:

(1) To provide school districts and the department access to data necessary to comply with federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).



(2) To provide a better means of evaluating educational progress and investments over time.

(3) To provide local educational agencies with the information and data needed to inform operational tools, as defined in Section 10861, that can be used to improve pupil achievement, including college and career readiness.

(4) To provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil level ~~data~~; data between and among the state's educational segments and operational tools, as defined in Section 10861, including, but not limited to, all of the following:

(A) Pupil level data from all elementary and secondary schools, including, but not limited to, juvenile court schools, alternative schools, continuation schools, special education schools, and adult educational programs offering a high school diploma or equivalency.

(B) Pupil level data collected in both detention and nondetention settings.

(C) Pupil level data to postsecondary educational institutions and the Student Aid Commission.

(5) To facilitate the ability of the state to publicly report data, as specified in Section 6401(e)(2)(D) of the federal America COMPETES Act (20 U.S.C. Sec. 9871) and as required by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(6) To ensure that any data access provided to researchers, as required pursuant to the federal Race to the Top regulations and guidelines is provided, only to the extent that the data access is in compliance with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g).

(e) In order to comply with federal law as delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), the local educational agency shall retain individual pupil records for each test taker, including all of the following:

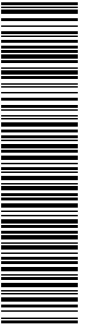
(1) All demographic data collected from the California Assessment of Student Performance and Progress (CAASPP) and English language development tests.

(2) Pupil achievement data from assessments administered pursuant to the CAASPP and English language development testing programs. To the extent feasible, data should include subscore data within each content area.

(3) A unique pupil identification ~~number~~ number, to be identical to the pupil identifier developed pursuant to the California School Information Services, ~~which that~~ shall be retained by each local educational agency and used to ensure the accuracy of information on the header sheets of the CAASPP tests and the English language development test.

(4) All data necessary to compile reports required by the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), including, but not limited to, dropout and graduation rates.

(5) Other data elements deemed necessary by the Superintendent, with the approval of the state board, to comply with the federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), and the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), after review and comment by the advisory board convened pursuant to subdivision (h). Before the implementation of this paragraph with respect to adding data elements to the California Longitudinal Pupil Achievement Data System for the purpose of



complying with the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), the department and the appropriate postsecondary educational agencies shall submit an expenditure plan to the Department of Finance detailing any administrative costs to the department and costs to any local educational agency, if applicable. The Department of Finance shall provide to the Joint Legislative Budget Committee a copy of the expenditure plan within 10 days of receipt of the expenditure plan from the department.

(6) To enable the department, the University of California, the California State University, and the Chancellor of the California Community Colleges to meet the requirements prescribed by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), these entities shall be authorized to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems, to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of district-level and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(f) The California Longitudinal Pupil Achievement Data System shall have all of the following characteristics:

(1) The ability to sort by demographic element collected from the CAASPP tests and English language development test.

(2) The capability to be expanded to include pupil achievement data from multiple years.

(3) The capability to monitor pupil achievement on the CAASPP tests and English language development test from year to year and school to school.

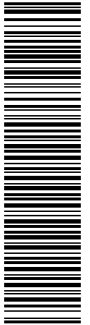
(4) The capacity to provide data to the state and local educational agencies upon their request.

(5) The capability to provide data to support operational tools, as defined in Section 10861.

(g) Data elements and codes included in the system shall comply with Sections 49061 to 49079, inclusive, and Sections 49602 and 56347, with Sections 430 to 438, inclusive, of Title 5 of the California Code of Regulations, with the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), Section 1232h of Title 20 of the United States Code, and related federal regulations.

(h) The department shall convene an advisory board consisting of representatives or designees from the state board, the Department of Finance, the State Privacy Ombudsman, the Legislative Analyst's Office, representatives of parent groups, school districts, and local educational agencies, and education researchers to establish privacy and access protocols, provide general guidance, and make recommendations relative to data elements. The department is encouraged to seek representation broadly reflective of the general public of California.

(i) This section shall be implemented using federal funds received pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), which are appropriated for purposes of this section in Item 6110-113-0890 of Section 2.00 of the



Budget Act of 2002 (Chapter 379 of the Statutes of 2002). The release of these funds is contingent on approval of an expenditure plan by the Department of Finance.

(j) For purposes of this chapter, a local educational agency shall include a county office of education, a school district, and a charter school.

SEC. 11. Section 60900.5 is added to the Education Code, to read:

60900.5. (a) The California College Guidance Initiative (CCGI), as defined in Section 10861, is hereby authorized to provide its services to all California school districts.

(b) In furtherance of paragraph (5) of subdivision (b) of Section 10867, the department shall enter into a memorandum of understanding with the CCGI, as authorized in subdivision (a), to accomplish all of the following:

(1) Share course level data from each local educational agency to validate, as they are submitted to the California Longitudinal Pupil Achievement Data System (CalPADS), if the course meets the requirements of A–G coursework, as defined in Section 10861.

(2) Share pupil course level data to inform individual pupil accounts on the operational tools.

(3) Collect additional data elements to ensure proper functioning and to incentivize use of the operational tools.

(4) Share pupil level data with the Student Aid Commission, postsecondary educational institutions, and programs that support college and career planning, application, and transition, as permitted under the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).

(5) Fully effectuate the intent of the Cradle-to-Career Data System Act pursuant to Chapter 8.5 (commencing with Section 10850) of Part 7 of Division 1 of Title 1.

(c) The department shall provide guidance to local educational agencies through CalPADS to clarify data standards and promote best practices. The department shall refer local educational agencies to CCGI for technical assistance in reconciling discrepancies between A–G coursework, as listed in their local pupil information system, and how those courses are registered in the course management portal at the office of the President of the University of California, or a successor A–G course management portal.

(d) The department shall ensure that the notifications provided by local educational agencies, as required by the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g), include appropriate content related to all of the following:

(1) CalPADS data shall be shared with the CCGI.

(2) CalPADS pupil level data shall be used to provide pupils and families with direct access to online tools and resources.

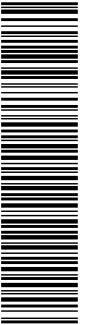
(3) A pupil may transmit information shared with the CCGI to both of the following:

(A) Postsecondary educational institutions for purposes of admissions and academic placement.

(B) The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

SEC. 12. Section 69432.9 of the Education Code is amended to read:

69432.9. (a) A Cal Grant applicant shall submit a complete official financial aid application pursuant to Section 69433 and applicable regulations adopted by the



commission. Each pupil enrolled in grade 12 in a California public school, including a charter school, other than pupils who opt out as provided in subdivision (d), shall be deemed to be a Cal Grant applicant.

(b) Financial need shall be determined to establish an applicant's initial eligibility for a Cal Grant award and a renewing recipient's continued eligibility using the federal financial need methodology pursuant to subdivision (a) of Section 69506 and applicable regulations adopted by the commission, and as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.).

(1) "Expected family contribution," with respect to an applicant or renewing recipient, shall be determined using the federal methodology pursuant to subdivision (a) of Section 69506 (as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.)) and applicable rules and regulations adopted by the commission.

(2) "Financial need" means the difference between the student's cost of attendance as determined by the commission and the expected family contribution. The calculation of financial need shall be consistent with Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.).

(3) (A) The minimum financial need required for receipt of an initial and renewal Cal Grant A or C award shall be no less than the maximum annual award value for the applicable institution, plus an additional one thousand five hundred dollars (\$1,500) of financial need.

(B) The minimum financial need required for receipt of an initial and renewal Cal Grant B award shall be no less than seven hundred dollars (\$700).

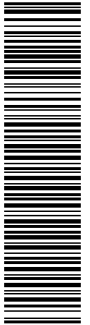
(c) (1) The commission shall require that a grade point average be submitted to it for all Cal Grant A and B applicants, except for those permitted to provide test scores in lieu of a grade point average or as provided in subparagraph (B) of paragraph (4).

(2) The (A) On or before January 1, 2025, the commission shall require that any grade point average data required for eligibility for student financial aid programs be submitted by local educational agencies through the California Longitudinal Pupil Achievement Data System established by Section 60900 for transmittal to the California College Guidance Initiative. The governing board of the Cradle-to-Career Data System shall be responsible for developing a timeline to guide the commission's implementation of this paragraph.

(B) (i) The commission shall require that a grade point average be submitted to it electronically on a standardized form for all grade 12 pupils at public schools, including charter schools, no later than October 1 of each academic year, except for pupils who have opted out as provided in subdivision (d). Social security numbers shall not be included in the information submitted to the commission. However, if the commission determines that a social security number is required to complete the application for financial aid, the school, school district, or charter school may obtain permission from the parent or guardian of the pupil, or the pupil, if the pupil is 18 years of age, to submit the pupil's social security number to the commission.

(3)

(ii) The commission shall require that each report of a grade point average include a certification, executed under penalty of perjury, by a school official, that the grade point average reported is accurately reported. The certification shall include a statement that it is subject to review by the commission or its designee.



~~(4) (A)–~~

~~(iii) (I)~~ The commission shall adopt regulations that establish a grace period for receipt of the grade point average and any appropriate corrections, and that set forth the circumstances under which a student may submit a specified test score designated by the commission, by regulation, in lieu of submitting a qualifying grade point average.

~~(B)~~

~~(II)~~ Notwithstanding subparagraph ~~(A)~~, ~~(B)~~, for the 2021–22 award year, commission staff may waive the requirement to submit a test score in lieu of a qualifying grade point average for a student who does not have a grade point average and is unable to submit a test score due to unavailability of designated testing due to the COVID-19 pandemic. The commission shall require a student seeking a waiver under this subparagraph to submit a signed certification verifying they were prevented from taking and submitting a test score in lieu of a qualifying grade point average due to the COVID-19 pandemic. For purposes of consideration for a Cal Grant A or B Entitlement award when applying with a waiver under this subparagraph for the 2021–22 award year, students shall have until May 16, 2021, to complete and submit their financial aid application and signed certification verifying they were prevented from taking and submitting a test score in lieu of a qualifying grade point average.

(iv) The requirements of this subparagraph shall become inoperative upon the submission by the commission of any required grade point average through the Cradle-to-Career Data System pursuant to subparagraph (A).

~~(5)~~

~~(3)~~ It is the intent of the Legislature that high schools and institutions of higher education certify the grade point averages of their students in time to meet the application deadlines imposed by this chapter.

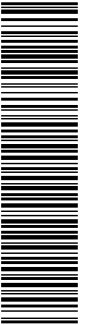
~~(6)~~

~~(4) (A)~~ It is the intent of the Legislature that the commission make available to each high school and school district a report identifying all grade 12 pupils within the high school or school district, respectively, who have and have not completed the Free Application for Federal Student Aid or the California Dream Act ~~Application~~ application.

(B) (i) It is the intent of the Legislature that the commission make available to each high school and school district a report identifying all grade 12 pupils within the high school or school district, respectively, who have and have not completed the Free Application for Federal Student Aid or the California Dream Act application.

(ii) The requirements of this subparagraph shall become inoperative upon the submission by the commission of any required grade point average through the Cradle-to-Career Data System pursuant to subparagraph (A).

~~(d) (1)~~ The school district or charter school shall, no later than January 1 of a pupil's grade 11 academic year, notify, in writing, each grade 11 pupil and, for a pupil under 18 years of age, the pupil's parent or guardian that, pursuant to subdivision (a), the pupil will be deemed a Cal Grant applicant unless the pupil opts out within a period of time specified in the notice, which shall not be less than 30 days. The required notice shall indicate when the school will first send grade point averages to the commission and the submission deadline of October 1. The school district or charter school shall provide an opportunity for the pupil to opt out of being automatically deemed a Cal Grant applicant.



(2) Until a pupil turns 18 years of age, only a parent or guardian may opt the pupil out. Once a pupil turns 18 years of age, only the pupil may opt the pupil out and, if before the conclusion of the notice period, the pupil may opt in over the prior decision of a parent or guardian to opt out.

SEC. 13. Section 94892.6 of the Education Code is amended to read:

94892.6. (a) (1) ~~For each graduate completing a program on or after January 1, 2020, at an~~ An institution approved to operate by the ~~bureau, the institution~~ bureau shall collect and retain all of the following data:

(A) For each graduate completing a program on or after January 1, 2020:

~~(A)~~

(i) Individual identifying information for each graduate of the institution sufficient to match to wage data from the Employment Development Department pursuant to Section 1095 of the Unemployment Insurance Code.

~~(B)~~

(ii) The program the graduate was enrolled in.

~~(C)~~

(iii) The graduate's student loan debt information reported under subdivision (g) of Section 74112 of Title 5 of the California Code of Regulations, if that information applies to the student.

(B) Other information determined by the bureau to be warranted for the purpose of inclusion in the Cradle-to-Career Data System established pursuant to Article 2 (commencing with Section 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1.

(2) All social security numbers or federal taxpayer identification numbers collected pursuant to subparagraph (A) of paragraph (1) shall be reported by an institution solely for the purposes set forth in this section, and shall not be disclosed by an institution to any third party other than the ~~bureau and bureau, the Employment Development Department~~ Employment Development Department, and the Cradle-to-Career Data System established pursuant to Article 2 (commencing with Section 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1, unless the disclosure is otherwise required by law.

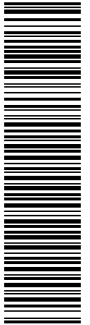
(b) (1) An institution shall report information collected pursuant to subdivision (a) to the bureau annually according to a schedule and in a format determined by the bureau. The bureau shall match the data reported by institutions pursuant to this section with wage data from the Employment Development Department pursuant to Section 1095 of the Unemployment Insurance Code.

(2) The bureau shall provide the data reported by institutions pursuant to this section to ~~the both of the following~~:

(A) The Employment Development Department for the purpose of fulfilling federal reporting requirements outlined in Section 116(d)(4)(a) of the federal Workforce Innovation and Opportunity Act (Public Law 113-128), to the extent permitted by state and federal laws and regulations.

(B) The Cradle-to-Career Data System, as required by Cradle-to-Career Data System data providers pursuant to Section 10871.

(3) The bureau shall make available on its internet website the relevant program-level and institution-level statistics, presented in terms of easily understood labor market measures and consistent with all pertinent state and federal privacy laws, regarding the earnings levels of graduates and the student debt information reported



under subdivision (g) of Section 74112 of Title 5 of the California Code of Regulations, if that information applies to the student.

(4) Labor market outcome data for each program and institution shall, at a minimum, provide data relating to graduates at two years and at five years after their graduation.

(5) This subdivision shall not be operative until the Director of Consumer Affairs certifies that the bureau's information technology system has been updated and is capable of processing data as required by this section. The bureau shall notify institutions when this certification has occurred. An institution shall have 120 days from the date it receives notification from the bureau to comply with this section.

(c) When sufficient data is reported and publicly available under this section, it is the intent of the Legislature to review the process by which institutions are required to collect and report employment data and reduce duplicative efforts.

SEC. 14. Section 1095 of the Unemployment Insurance Code is amended to read:

1095. The director shall permit the use of any information in the director's possession to the extent necessary for any of the following purposes, and may require reimbursement for all direct costs incurred in providing any and all information specified in this section, except information specified in subdivisions (a) to (e), inclusive:

(a) To enable the director or the director's representative to carry out their responsibilities under this code.

(b) To properly present a claim for benefits.

(c) To acquaint a worker or their authorized agent with the worker's existing or prospective right to benefits.

(d) To furnish an employer or their authorized agent with information to enable the employer to fully discharge their obligations or safeguard their rights under this division or Division 3 (commencing with Section 9000).

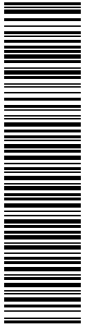
(e) To enable an employer to receive a reduction in contribution rate.

(f) To enable federal, state, or local governmental departments or agencies, subject to federal law, to verify or determine the eligibility or entitlement of an applicant for, or a recipient of, public social services provided pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code, or Part A of Subchapter IV of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.), when the verification or determination is directly connected with, and limited to, the administration of public social services.

(g) To enable county administrators of general relief or assistance, or their representatives, to determine entitlement to locally provided general relief or assistance, when the determination is directly connected with, and limited to, the administration of general relief or assistance.

(h) To enable state or local governmental departments or agencies to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, relief provided under Division 9 (commencing with Section 10000) of the Welfare and Institutions Code or to enable the collection of expenditures for medical assistance services pursuant to Part 5 (commencing with Section 17000) of Division 9 of the Welfare and Institutions Code.

(i) To provide any law enforcement agency with the name, address, telephone number, birth date, social security number, physical description, and names and



addresses of present and past employers, of any victim, suspect, missing person, potential witness, or person for whom a felony arrest warrant has been issued, when a request for this information is made by any investigator or peace officer as defined by Sections 830.1 and 830.2 of the Penal Code, or by any federal law enforcement officer to whom the Attorney General has delegated authority to enforce federal search warrants, as defined under Sections 60.2 and 60.3 of Title 28 of the Code of Federal Regulations, as amended, and when the requesting officer has been designated by the head of the law enforcement agency and requests this information in the course of and as a part of an investigation into the commission of a crime when there is a reasonable suspicion that the crime is a felony and that the information would lead to relevant evidence. The information provided pursuant to this subdivision shall be provided to the extent permitted by federal law and regulations, and to the extent the information is available and accessible within the constraints and configurations of existing department records. Any person who receives any information under this subdivision shall make a written report of the information to the law enforcement agency that employs the person, for filing under the normal procedures of that agency.

(1) This subdivision shall not be construed to authorize the release to any law enforcement agency of a general list identifying individuals applying for or receiving benefits.

(2) The department shall maintain records pursuant to this subdivision only for periods required under regulations or statutes enacted for the administration of its programs.

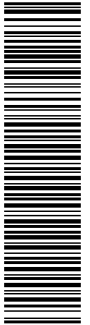
(3) This subdivision shall not be construed as limiting the information provided to law enforcement agencies to that pertaining only to applicants for, or recipients of, benefits.

(4) The department shall notify all applicants for benefits that release of confidential information from their records will not be protected should there be a felony arrest warrant issued against the applicant or in the event of an investigation by a law enforcement agency into the commission of a felony.

(j) To provide public employee retirement systems in California with information relating to the earnings of any person who has applied for or is receiving a disability income, disability allowance, or disability retirement allowance, from a public employee retirement system. The earnings information shall be released only upon written request from the governing board specifying that the person has applied for or is receiving a disability allowance or disability retirement allowance from its retirement system. The request may be made by the chief executive officer of the system or by an employee of the system so authorized and identified by name and title by the chief executive officer in writing.

(k) To enable the Division of Labor Standards Enforcement in the Department of Industrial Relations to seek criminal, civil, or administrative remedies in connection with the failure to pay, or the unlawful payment of, wages pursuant to Chapter 1 (commencing with Section 200) of Part 1 of Division 2 of, and Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of, the Labor Code.

(l) To enable federal, state, or local governmental departments or agencies to administer child support enforcement programs under Part D of Title IV of the federal Social Security Act (42 U.S.C. Sec. 651 et seq.).



(m) To provide federal, state, or local governmental departments or agencies with wage and claim information in its possession that will assist those departments and agencies in the administration of the Victims of Crime Program or in the location of victims of crime who, by state mandate or court order, are entitled to restitution that has been or can be recovered.

(n) To provide federal, state, or local governmental departments or agencies with information concerning any individuals who are or have been:

(1) Directed by state mandate or court order to pay restitution, fines, penalties, assessments, or fees as a result of a violation of law.

(2) Delinquent or in default on guaranteed student loans or who owe repayment of funds received through other financial assistance programs administered by those agencies. The information released by the director for the purposes of this paragraph shall not include unemployment insurance benefit information.

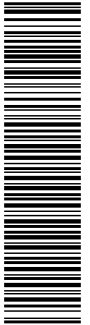
(o) To provide an authorized governmental agency with any and all relevant information that relates to any specific workers' compensation insurance fraud investigation. The information shall be provided to the extent permitted by federal law and regulations. For purposes of this subdivision, "authorized governmental agency" means the district attorney of any county, the office of the Attorney General, the Contractors' State License Board, the Department of Industrial Relations, and the Department of Insurance. An authorized governmental agency may disclose this information to the State Bar of California, the Medical Board of California, or any other licensing board or department whose licensee is the subject of a workers' compensation insurance fraud investigation. This subdivision shall not prevent any authorized governmental agency from reporting to any board or department the suspected misconduct of any licensee of that body.

(p) To enable the Director of Consumer Affairs, or the director's representative, to access unemployment insurance quarterly wage data on a case-by-case basis to verify information on school administrators, school staff, and students provided by those schools who are being investigated for possible violations of Chapter 8 (commencing with Section 94800) of Part 59 of Division 10 of Title 3 of the Education Code.

(q) To provide employment tax information to the tax officials of Mexico, if a reciprocal agreement exists. For purposes of this subdivision, "reciprocal agreement" means a formal agreement to exchange information between national taxing officials of Mexico and taxing authorities of the State Board of Equalization, the Franchise Tax Board, and the Employment Development Department. Furthermore, the reciprocal agreement shall be limited to the exchange of information that is essential for tax administration purposes only. Taxing authorities of the State of California shall be granted tax information only on California residents. Taxing authorities of Mexico shall be granted tax information only on Mexican nationals.

(r) To enable city and county planning agencies to develop economic forecasts for planning purposes. The information shall be limited to businesses within the jurisdiction of the city or county whose planning agency is requesting the information, and shall not include information regarding individual employees.

(s) To provide the State Department of Developmental Services with wage and employer information that will assist in the collection of moneys owed by the recipient, parent, or any other legally liable individual for services and supports provided pursuant



to Chapter 9 (commencing with Section 4775) of Division 4.5 of, and Chapter 2 (commencing with Section 7200) and Chapter 3 (commencing with Section 7500) of Division 7 of, the Welfare and Institutions Code.

(t) To provide the State Board of Equalization with employment tax information that will assist in the administration of tax programs. The information shall be limited to the exchange of employment tax information essential for tax administration purposes to the extent permitted by federal law and regulations.

(u) This section shall not be construed to authorize or permit the use of information obtained in the administration of this code by any private collection agency.

(v) The disclosure of the name and address of an individual or business entity that was issued an assessment that included penalties under Section 1128 or 1128.1 shall not be in violation of Section 1094 if the assessment is final. The disclosure may also include any of the following:

(1) The total amount of the assessment.

(2) The amount of the penalty imposed under Section 1128 or 1128.1 that is included in the assessment.

(3) The facts that resulted in the charging of the penalty under Section 1128 or 1128.1.

(w) To enable the Contractors' State License Board to verify the employment history of an individual applying for licensure pursuant to Section 7068 of the Business and Professions Code.

(x) To provide any peace officer with the Division of Investigation in the Department of Consumer Affairs information pursuant to subdivision (i) when the requesting peace officer has been designated by the chief of the Division of Investigation and requests this information in the course of and as part of an investigation into the commission of a crime or other unlawful act when there is reasonable suspicion to believe that the crime or act may be connected to the information requested and would lead to relevant information regarding the crime or unlawful act.

(y) To enable the Labor Commissioner of the Division of Labor Standards Enforcement in the Department of Industrial Relations to identify, pursuant to Section 90.3 of the Labor Code, unlawfully uninsured employers. The information shall be provided to the extent permitted by federal law and regulations.

(z) To enable the Chancellor of the California Community Colleges, in accordance with the requirements of Section 84754.5 of the Education Code, to obtain quarterly wage data, commencing January 1, 1993, on students who have attended one or more community colleges, to assess the impact of education on the employment and earnings of students, to conduct the annual evaluation of district-level and individual college performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(aa) To enable the Public Employees' Retirement System to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, benefits provided under Part 3 (commencing with Section 20000) of Division 5 of Title 2 of the Government Code.

(ab) To enable the State Department of Education, the University of California, the California State University, and the Chancellor of the California Community Colleges, pursuant to the requirements prescribed by the federal American Recovery



and Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of district-level and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(ac) To provide the Agricultural Labor Relations Board with employee, wage, and employer information, for use in the investigation or enforcement of the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code). The information shall be provided to the extent permitted by federal statutes and regulations.

(ad) (1) To enable the State Department of Health Care Services, the California Health Benefit Exchange, the Managed Risk Medical Insurance Board, and county departments and agencies to obtain information regarding employee wages, California employer names and account numbers, employer reports of wages and number of employees, and disability insurance and unemployment insurance claim information, for the purpose of:

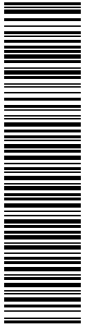
(A) Verifying or determining the eligibility of an applicant for, or a recipient of, state health subsidy programs, limited to the Medi-Cal program provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code, and the Medi-Cal Access Program provided pursuant to Chapter 2 (commencing with Section 15810) of Part 3.3 of Division 9 of the Welfare and Institutions Code, when the verification or determination is directly connected with, and limited to, the administration of the state health subsidy programs referenced in this subparagraph.

(B) Verifying or determining the eligibility of an applicant for, or a recipient of, federal subsidies offered through the California Health Benefit Exchange, provided pursuant to Title 22 (commencing with Section 100500) of the Government Code, including federal tax credits and cost-sharing assistance pursuant to the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), when the verification or determination is directly connected with, and limited to, the administration of the California Health Benefit Exchange.

(C) Verifying or determining the eligibility of employees and employers for health coverage through the Small Business Health Options Program, provided pursuant to Section 100502 of the Government Code, when the verification or determination is directly connected with, and limited to, the administration of the Small Business Health Options Program.

(2) The information provided under this subdivision shall be subject to the requirements of, and provided to the extent permitted by, federal law and regulations, including Part 603 of Title 20 of the Code of Federal Regulations.

(ae) To provide any peace officer with the Investigations Division of the Department of Motor Vehicles with information pursuant to subdivision (i), when the requesting peace officer has been designated by the Chief of the Investigations Division and requests this information in the course of, and as part of, an investigation into identity theft, counterfeiting, document fraud, or consumer fraud, and there is reasonable



suspicion that the crime is a felony and that the information would lead to relevant evidence regarding the identity theft, counterfeiting, document fraud, or consumer fraud. The information provided pursuant to this subdivision shall be provided to the extent permitted by federal law and regulations, and to the extent the information is available and accessible within the constraints and configurations of existing department records. Any person who receives any information under this subdivision shall make a written report of the information to the Investigations Division of the Department of Motor Vehicles, for filing under the normal procedures of that division.

(af) Until January 1, 2020, to enable the Department of Finance to prepare and submit the report required by Section 13084 of the Government Code that identifies all employers in California that employ 100 or more employees who receive benefits from the Medi-Cal program (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code). The information used for this purpose shall be limited to information obtained pursuant to Section 11026.5 of the Welfare and Institutions Code and from the administration of personal income tax wage withholding pursuant to Division 6 (commencing with Section 13000) and the disability insurance program and may be disclosed to the Department of Finance only for the purpose of preparing and submitting the report and only to the extent not prohibited by federal law.

(ag) To provide, to the extent permitted by federal law and regulations, the Student Aid Commission with wage information in order to verify the employment status of an individual applying for a Cal Grant C award pursuant to subdivision (c) of Section 69439 of the Education Code.

(ah) To enable the Department of Corrections and Rehabilitation to obtain quarterly wage data of former inmates who have been incarcerated within the prison system in order to assess the impact of rehabilitation services or the lack of these services on the employment and earnings of these former inmates. Quarterly data for a former inmate's employment status and wage history shall be provided for a period of one year, three years, and five years following release. The data shall only be used for the purpose of tracking outcomes for former inmates in order to assess the effectiveness of rehabilitation strategies on the wages and employment histories of those formerly incarcerated. The information shall be provided to the department to the extent not prohibited by federal law.

(ai) To enable federal, state, or local government departments or agencies, or their contracted agencies, subject to federal law, including the confidentiality, disclosure, and other requirements set forth in Part 603 of Title 20 of the Code of Federal Regulations, to evaluate, research, or forecast the effectiveness of public social services programs administered pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code, or Part A of Subchapter IV of Chapter 7 of the federal Social Security Act (42 U.S.C. Sec. 601 et seq.), when the evaluation, research, or forecast is directly connected with, and limited to, the administration of the public social services programs.

(aj) (1) To enable the California Workforce Development Board, the Chancellor of the California Community Colleges, the Superintendent of Public Instruction, the Department of Rehabilitation, the State Department of Social Services, the Bureau for Private Postsecondary Education, the Department of Industrial Relations, the Division of Apprenticeship Standards, the Department of Corrections and Rehabilitation, the



Prison Industry Authority, the Employment Training Panel, and a chief elected official, as that term is defined in Section 3102(9) of Title 29 of the United States Code, to access any relevant quarterly wage data necessary for the evaluation and reporting of their respective program performance outcomes as required and permitted by various local, state, and federal laws pertaining to performance measurement and program evaluation under the federal Workforce Innovation and Opportunity Act (Public Law 113-128); the workforce metrics dashboard pursuant to paragraph (1) of subdivision (i) of Section 14013; the Adult Education Block Grant Program consortia performance metrics pursuant to Section 84920 of the Education Code; the economic and workforce development program performance measures pursuant to Section 88650 of the Education Code; and the California Community Colleges Economic and Workforce Development Program performance measures established in Part 52.5 (commencing with Section 88600) of Division 7 of Title 3 of the Education Code. Disclosures under this subdivision shall comply with federal and state privacy laws that require the informed consent from program participants of city and county departments or agencies that administer public workforce development programs for the evaluation, research, or forecast of their programs regardless of local, state, or federal funding source.

(2) The department shall do all of the following:

(A) Consistent with this subdivision, develop the minimum requirements for granting a request for disclosure of information authorized by this subdivision regardless of local, state, or federal funding source.

(B) Develop a standard application for submitting a request for disclosure of information authorized by this subdivision.

(C) Approve or deny a request for disclosure of information authorized by this subdivision, or request additional information, within 20 business days of receiving the standard application. The entity submitting the application shall respond to any request by the department for additional information within 20 business days of receipt of the department's request. Within 30 calendar days of receiving any additional information, the department shall provide a final approval or denial of the request for disclosure of information authorized by this subdivision. Any approval, denial, or request for additional information shall be in writing. Denials shall identify the reason or category of reasons for the denial.

(D) Make publicly available on the department's internet website all of the following:

(i) The minimum requirements for granting a request for disclosure of information authorized by this subdivision, as developed pursuant to subparagraph (A).

(ii) The standard application developed pursuant to subparagraph (B).

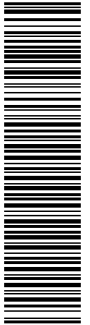
(iii) The timeframe for information request determinations by the department, as specified in subparagraph (C).

(iv) Contact information for assistance with requests for disclosures of information authorized by this subdivision.

(v) Any denials for requests of disclosure of information authorized by this subdivision, including the reason or category of reasons for the denial.

(ak) (1) To provide any peace officer with the Enforcement Branch of the Department of Insurance with both of the following:

(A) Information provided pursuant to subdivision (i) that relates to a specific insurance fraud investigation involving automobile insurance fraud, life insurance and



annuity fraud, property and casualty insurance fraud, and organized automobile insurance fraud. That information shall be provided when the requesting peace officer has been designated by the Chief of the Fraud Division of the Department of Insurance and requests the information in the course of, and as part of, an investigation into the commission of a crime or other unlawful act when there is reasonable suspicion to believe that the crime or act may be connected to the information requested and would lead to relevant information regarding the crime or unlawful act.

(B) Employee, wage, employer, and state disability insurance claim information that relates to a specific insurance fraud investigation involving health or disability insurance fraud when the requesting peace officer has been designated by the Chief of the Fraud Division of the Department of Insurance and requests the information in the course of, and as part of, an investigation into the commission of a crime or other unlawful act when there is reasonable suspicion to believe that the crime or act may be connected to the information requested and would lead to relevant information regarding the crime or unlawful act.

(2) To enable the State Department of Developmental Services to obtain quarterly wage data of consumers served by that department for the purposes of monitoring and evaluating employment outcomes to determine the effectiveness of the Employment First Policy, established pursuant to Section 4869 of the Welfare and Institutions Code.

(3) The information provided pursuant to this subdivision shall be provided to the extent permitted by federal statutes and regulations.

(al) To provide the CalSavers Retirement Savings Board with employer tax information for use in the administration of, and to facilitate compliance with, the CalSavers Retirement Savings Trust Act (Title 21 of the Government Code). The information should be limited to the tax information the director deems appropriate, and shall be provided to the extent permitted by federal laws and regulations.

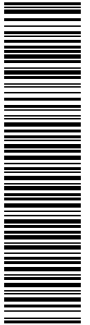
(am) (1) To enable the Joint Enforcement Strike Force as established by Section 329, and the Labor Enforcement Task Force, as established pursuant to Assembly Bill 1464 of the 2011–12 Regular Session (Chapter 21 of the Statutes of 2012), to carry out their duties.

(2) To provide an agency listed in subdivision (a) of Section 329 intelligence, data, including confidential tax and fee information, documents, information, complaints, or lead referrals pursuant to Section 15925 of the Government Code.

(an) To enable the Bureau for Private Postsecondary Education to access and use any relevant quarterly wage data necessary to perform the labor market outcome reporting data match pursuant to Section 94892.6 of the Education Code. The information provided pursuant to this subdivision shall be provided to the extent permitted by state and federal laws and regulations.

(ao) To enable the Cradle-to-Career Data System, as established by Article 2 (commencing with Section 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1 of the Education Code, to receive employment and earnings data and, as required of the director pursuant to Section 10871 of the Education Code, to provide information to the data system, to the extent permissible by federal laws and regulations.

SEC. 15. The Legislature finds and declares that Section 8 of this act, which adds Section 10872 to the Education Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant

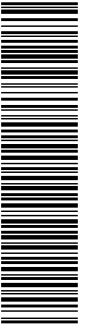


to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

To protect the privacy of the state's pupils, whose academic achievement data is collected and analyzed in an effort to improve the elementary, secondary, and postsecondary educational segments that are so vital to the economy of this state and the well-being of its residents, it is necessary to limit public access to the records of the Cradle-to-Career Data System.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No. _____
as introduced, _____.
General Subject: Education data: Cradle-to-Career Data System.

Existing law establishes the California Longitudinal Pupil Achievement Data System, which is maintained by the State Department of Education and consists of pupil data regarding demographic, program participation, enrollment, and statewide assessments.

Existing law establishes the California Cradle-to-Career Data System Workgroup to assess, recommend, and advise about statewide data infrastructure that integrates data from state entities responsible for elementary and secondary education data, entities responsible for early learning data, segments of public higher education, private colleges and universities, state entities responsible for student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs.

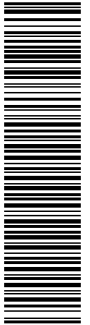
Existing law requires the Office of Planning and Research to contract with entities with expertise in managing data for specified purposes relating to the workgroup's activities. Existing law requires those contracted entities to submit reports to the Department of Finance and the Legislature concerning the establishment of the California Cradle-to-Career Data System, as specified.

This bill would establish the Cradle-to-Career Data System for the purpose of connecting individuals and organizations to trusted information and resources, as a source for actionable data and research on education, economic, and health outcomes for individuals, families, and communities, and to provide for expanded access to tools and services that support the education-to-employment pipeline, as specified.

The bill would establish the California Cradle-to-Career Data System Governing Board in state government, composed of certain representatives from state agencies, educational organizations, and members of the public, who would, among other things, be responsible for strategic direction and implementation of the data system, including ensuring that the data system is serving its intended purposes. The bill would establish the Data and Tools Advisory Board and the Community Engagement Advisory Board to perform certain tasks and make recommendations to the governing board, as specified.

The bill would require the governing board to also provide operational oversight of the Office of Cradle-to-Career Data that the bill would establish within the Government Operations Agency under the direction of the Department of General Services to serve as the managing entity of the data system, as provided.

The bill would authorize information to be provided to the data system by local educational agencies with respect to operational tools, as defined, the Committee for the Protection of Human Subjects for the California Health and Human Services Agency, the Commission on Teacher Credentialing, the State Department of Education, and the California College Guidance Initiative with respect to longitudinal pupil achievement data, the Student Aid Commission with respect to grade point average



and other data, the Bureau for Private Postsecondary Education, and the Employment Development Department. The bill would also include numerous conforming changes.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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